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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,221	03/02/2004	Chiharu Iriguchi	118580	9847

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EXAMINER

FULLER, RODNEY EVAN

ART UNIT	PAPER NUMBER
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2851

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/790,221

Applicant(s)

IRIGUCHI, CHIHARU

Examiner

Rodney E. Fuller

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 8-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Rodney Fuller
Primary Examiner

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/2/04; 1/19/06.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I (claims 1-7) in the reply filed on December 13, 2006 is acknowledged. The traversal is on the ground(s) that "the search and examination of the entire application could be made without serious burden. This is not found persuasive because (as noted in the Restriction Requirement) the inventions have acquired a separate status in the art in view of their different classification.

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 8-13 withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on December 13, 2006.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Nishi (US 6,462,807).

Regarding claim 1, Nishi discloses "a light-emitting device (Fig. 3, ref.# 2) that emits an exposure beam having a specified width to expose the exposure area (Fig. 3,

ref.# W) to light; a douser (Fig. 3, ref.# 20) having a width corresponding to at least the width of the exposure beam (Fig. 4 shows width of blade corresponding to the width of the exposure beam IF); and a drive unit (Fig. 3, ref.# 22) to prevent the exposure beam from reaching an area other than the exposure area by driving the douser (Fig. 3, ref.# 20) to shut off part or all of the exposure beam.”

Regarding claim 2, Nishi discloses “the douser having a width and a height equal to at least the width of the exposure beam.” (Fig. 4 shows width and height of the blades of the douser corresponding to the width of the exposure beam IF)

Regarding claim 3, Nishi discloses “a plurality of dousers (Fig. 3, ref.# BL1, BL2) substantially perpendicular to the direction of emission of the exposure beam (Fig. 3 shows lines corresponding to the exposure beam perpendicular to dousers) and driven separately along either of two intersecting directions (Fig. 4 shows blades BL1, BL2 as independent); and a drive unit (Fig. 3, ref. # 22) to drive the dousers.”

Regarding claim 4, Nishi discloses “four dousers (Fig. 4, ref.# BL1, BL2, BL3, BL4) substantially perpendicular to the direction of emission of the exposure beam (Fig. 3 shows lines corresponding to the exposure beam perpendicular to dousers) and driven separately (Fig. 4 shows the blades BL1, BL2, BL3, BL4 as independent) along either of two intersecting directions; and a drive unit (Fig. 3, ref.# 22) to drive the dousers.”

Regarding claim 5, Nishi discloses “a douser (Fig. 3, ref.# 20) capable of moving substantially perpendicular to the direction of emission of the exposure beam (Fig. 3

shows lines corresponding to the exposure beam perpendicular to dousers); and a drive (Fig. 3, ref.# 22) unit to drive the douser.”

Regarding claims 6 and 7, Nishi discloses “the drive unit (Fig. 3, ref.# 22) moving the douser (Fig. 3, ref.# 20) so that the exposure beam reaches only the exposure area when the distance between the center of the exposure beam and the boundary of the exposure area is equal to or less than one-half of the width of the exposure beam.” (Figure 4 shows the douser blades BL1, BL2, BL3, BL4 able to adjust the exposure beam and satisfy the condition wherein the center of the exposure beam and the boundary of the exposure area is equal to or less than one-half of the width of the exposure beam.)

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Suzuki (US 6,078,381), Nishi US 5,194,893) and Ushida, et al. (US 4,734,746) each disclose a light-emitting device that emits an exposure beam having a specified width to expose the exposure area to light; a douser having a width corresponding to at least the width of the exposure beam; and a drive unit to prevent the exposure beam from reaching an area other than the exposure area by driving the douser to shut off part or all of the exposure beam.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney E. Fuller whose telephone number is 571-272-2118. The examiner can normally be reached on 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diane Lee can be reached on 571-272-2399. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Rodney E Fuller
Primary Examiner
Art Unit 2851

March 12, 2007

A handwritten signature in black ink, appearing to be 'Ry' followed by a stylized flourish.